

REMARKS

Claims 11-14 and 16-21 are pending, with claims 11, 17 and 18 independent.

Applicants have amended claims 11, 17 and 18. Support of the amendments is found, for example, at page 5, lines 11-14 and Fig. 2A of the specification. No new matter has been introduced by way of this Amendment. Accordingly, reconsideration of the application is respectfully requested.

The Examiner has rejected claims 11, 13, 14 and 16-21 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2004/0096804 to Vogt et al. (hereafter "Vogt"). Applicants respectfully traverse the rejection for at least the reasons set forth below.

To maintain a claim rejection under 35 U.S.C. § 102, a single prior art reference must disclose each and every limitation set forth in the claim. The identical invention must be shown in as complete detail as is contained in the claim. Vogt fails to do so.

Applicants' independent claim 11, as amended, recites a combination of a transfer part for holding a dental implant and a dental implant. The transfer part includes a clamping portion for the clamping connection to the dental implant. The clamping portion includes a radial groove, a clamp ring insertable into the radial groove to engage with the dental implant, and a force transmission element for securing the clamping connection against rotation. Significantly, the dental implant includes an undercut dimensioned suitably for clampingly receiving the clamp ring.

Vogt discloses a combination of a dental implant, an adapter and a transfer cap, with the adapter assembled with both the dental implant and the transfer cap. Specifically, as illustrated in Figs. 3A-3C thereof, the adapter 3 comprises a driving section 30 for fitting into the dental implant, a holding section 31 for engaging with the transfer tap, and a plug-type extension 33 for fitting into a coupling piece used in connection with a screwing-in instrument. Specifically,

the extension 33 comprises an annular groove 331 for receiving a retaining ring 332 and a non-rotationally symmetrical outer contour 330 for form-fit attachment of the coupling piece (*see*, Paragraph [0088], Lines 18-23 of Vogt).

Thus, the extension 33 does not couple or connect with the dental implant, and, accordingly, the retaining ring 332 thereof does not engage with the dental implant. Further, as clearly illustrated in Figures 5A and 5B, the dental implant described by Vogt does not include “an undercut dimensioned suitably for clampingly receiving the clamp ring” recited by claim 11 of the present application, especially in view of the fact that the so-called clamping ring 332 of Vogt does not even engage with the dental implant.

Similar amendments have been made to other independent claims 17 and 18, directed to a combination of an inner ampule and a transfer part for a dental implant and an inner ampule, respectively, to recite the distinguishing feature of “an undercut dimensioned suitably for clampingly receiving the clamp ring”.

Therefore, Vogt fails to disclose each and every limitation of claims 11, 17 and 18, from which the other claims ultimately depend. Accordingly, the rejection of claims 11, 13, 14 and 16-21 under 35 U.S.C. §102(e) based on Vogt is overcome, and withdrawal thereof is respectfully requested.

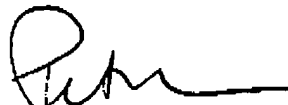
The Examiner has rejected claim 12 under 35 U.S.C. §103(a) as allegedly unpatentable over Vogt in view of U.S. Patent No. 5,078,605 to Sutter et al. (hereafter “Sutter”). The rejection is respectfully traversed for at least the reasons set forth below.

Claim 11, from which claim 12 depends, is discussed above. Vogt is discussed above relative to claim 11. Since Sutter is applied to allegedly teach the further limitations of claim 12, Sutter does not overcome the underlying deficiencies of Vogt with regard to claim 11.

Thus, either taken alone or in combination, Vogt and Sutter do not teach or suggest the combination of features recited in claim 12. Accordingly, the rejection of claim 12 under 35 U.S.C. § 103(a) based on the combination of Vogt and Sutter is overcome, and withdrawal thereof is respectfully requested.

In view of the foregoing amendments and remarks, it is firmly believed that the subject application is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,



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